



PATENT
Docket No.: 19603/3286 (CRF D-2062B)

#14
E1(3)
Appeal

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kim et al.
Serial No. : 09/596,958
Cnfrm. No. : 5427
Filed : June 20, 2000
For : DNA ENCODING *ERWINIA*
AMYLOVORA HYPERSENSITIVE
RESPONSE ELICITOR AND ITS USE

Examiner:
A. Kubelik

Art Unit:
1638

RECEIVED
DEC 26 2002
TECH CENTER 1600/2900

NOTICE OF APPEAL
AND
REQUEST FOR THREE-MONTH EXTENSION OF TIME

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202
BOX: AF

Dear Sir:


Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated **June 17, 2002**, finally rejecting claims 1-10.

Applicants hereby request an extension of time of three months from the due date of **September 17, 2002**. Enclosed is a check to cover both the **\$460.00** extension of time fee and the **\$160.00** appeal fee.

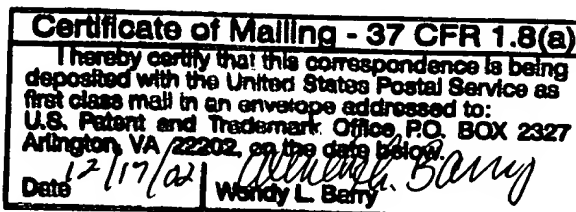
Please charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this form is attached.

Respectfully submitted,

Dated: December 17, 2002


Edwin V. Merkel
Registration No. 40,087

NIXON PEABODY LLP
Clinton Square, P. O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1128
Facsimile: (585) 263-1600



12/23/2002 CV0111 00000028 09596958 160.00 OP
01 FC:2401
12/23/2002 CV0111 00000028 09596958 460.00 OP
02 FC:2253